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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: KEVIN MARTIN

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure #1:

THE NYPD ENTERED A DISPOSITION OF OTHER MISCONDUCT NOTED FOR THE FOLLOWING ALLEGATION, DATED 09/26/2008, AGAINST MOS MARTIN:

ALLEGATION:

MISSING PROPERTY – PRISONER

CASE STATUS: CLOSED ON 09/28/2009

Disclosure #2:

THE NYPD ENTERED A DISPOSITION OF OTHER MISCONDUCT NOTED FOR THE FOLLOWING ALLEGATION, DATED 03/25/2009, AGAINST MOS MARTIN:

ALLEGATION:

MISSING PROPERTY – WARRANT

CASE STATUS: CLOSED ON 05/14/2010

Disclosure #3:

THE NYPD ENTERED A DISPOSITION OF OTHER MISCONDUCT NOTED FOR THE FOLLOWING ALLEGATION, DATED 09/28/2009, AGAINST MOS MARTIN:

ALLEGATION:

MISSING PROPERTY – PRISONER

CASE STATUS: CLOSED ON 12/13/2010

Disclosure #4:

MOS IS A NAMED DEFENDANT IN THE FOLLOWING CIVIL ACTIONS:

1. ANTHONY SWEET V. CITY OF NEW YORK, ET AL., 304603/11 FILED IN BRONX COUNTY SUPREME COURT
2. GERMAN MEJAS V. CITY OF NEW YORK, ET AL., 11-CV-3298, FILED IN THE SOUTHERN DISTRICT OF NEW YORK
3. MAUROSOL FELIX, ET AL., V. CITY OF NEW YORK, ET AL., 13-CV-2941 FILED IN THE SOUTHERN

DISTRICT OF NEW YORK

Disclosure #5:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATIONS, AGAINST MOS MARTIN:

1. MOS MARTIN, ASSIGNED TO THE 46TH PRECINCT, ON 10/25/2011 FAILED TO MAKE ACTIVITY LOG ENTRIES REGARDING HIS PARTICIPATION IN AN INCIDENT WHICH OCCURRED AT A TIME, DATE AND LOCATION KNOWN TO THE DEPARTMENT
2. MOS MARTIN ASSIGNED TO THE 46TH PRECINCT, FAILED TO PREPARE A UF-250 REGARDING A STOP WHICH OCCURRED AT A TIME, DATE AND LOCATION KNOWN TO THE DEPARTMENT.

CASE STATUS: CLOSED ON 10/18/2013

PENALTY: SCHEDULE B COMMAND DISCIPLINE, FORFEITURE OF FOUR (4) HOURS OF VACATION.

Disclosure #6:

MOS MARTIN PLED GUILTY TO THE FOLLOWING NYPD DEPARTMENTAL CHARGES AND SPECIFICATIONS ARISING FROM AN INCIDENT ON 04/19/2012 AT APPROXIMATELY 2040 HOURS IN BRONX COUNTY, WHILE MOS MARTIN WAS ON DUTY:

ALLEGATIONS:

1. MOS MARTIN ABUSED HIS AUTHORITY AS MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT IN THAT HE STOPPED A PERSON KNOWN TO THE DEPARTMENT WITHOUT SUFFICIENT LEGAL AUTHORITY.
2. MOS MARTIN ABUSED HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT IN THAT HE FRISKED SAID PERSON KNOWN TO THE DEPARTMENT WITHOUT SUFFICIENT LEGAL AUTHORITY.
3. MOS MARTIN ABUSED HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT IN THAT HE SEARCHED AN UNIDENTIFIED INDIVIDUAL WITHOUT SUFFICIENT LEGAL AUTHORITY.
4. MOS MARTIN ABUSED HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT IN THAT HE SEARCHED SAID PERSON KNOWN TO THE DEPARTMENT WITHOUT SUFFICIENT LEGAL AUTHORITY.
5. MOS MARTIN ENGAGED IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE NEW YORK CITY POLICE DEPARTMENT, BY THREATENING TO ARREST SAID PERSON KNOWN TO THE DEPARTMENT FOR TRESPASS, WITHOUT SUFFICIENT LEGAL AUTHORITY, IN THAT SAID PERSON KNOWN TO THE DEPARTMENT STATED THAT HE WAS VISITING HIS SISTER IN THE BUILDING.
6. MOS MARTIN DID WRONGFULLY USE FORCE AGAINST SAID PERSON KNOWN TO THE DEPARTMENT, IN THAT HE REPEATEDLY SLAMMED SAID PERSON'S HANDS AGAINST A WALL.
7. MOS MARTIN WAS DISCOURTEOUS TO SAID PERSON KNOWN TO THE DEPARTMENT IN THAT HE BLEW A PUFF OF AIR INTO HIS FACE.
8. MOS MARTIN WAS DISCOURTEOUS TO SAID PERSON KNOWN TO THE DEPARTMENT IN THAT HE THREW SAID PERSON'S IDENTIFICATION CARD TO THE GROUND.

CASE STATUS: CLOSED ON 02/04/2016

PENALTY: FORFEITURE OF FIFTEEN (15 VACATION) DAYS

Disclosure #7:

MOS MARTIN PLED GUILTY TO THE FOLLOWING NYPD DEPARTMENTAL CHARGES AND SPECIFICATIONS, DATED 04/16/2013:

ALLEGATION:

1. DID WRONGFULLY ENGAGE IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY AND DISCIPLINE OF THE DEPARTMENT, TO WIT: WHILE BEING INTERVIEWED AT THE CIVILIAN COMPLAINT REVIEW BOARD REGARDING A POLICE INCIDENT WHICH OCCURRED ON OR ABOUT APRIL 19, 2012, DID MAKE INACCURATE AND MISLEADING STATEMENTS.

CASE STATUS: CLOSED ON 02/03/2015

PENALTY: FORFEITURE OF TWENTY (20) VACATION DAYS

Disclosure #8:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION, DATED 01/04/16, AGAINST MOS MARTIN:

ALLEGATION:

IMPROPERLY FRISKED AN INDIVIDUAL KNOWN TO THE DEPARTMENT.

CASE STATUS: CLOSED ON 02/09/2017

PENALTY: SCHEDULE B COMMAND DISCIPLINE, FORFEITURE OF FOUR (4) HOURS OF VACATION

Disclosure # 9:

MOS MARTIN WAS FOUND GUILTY AFTER DEPARTMENTAL TRIAL OF THE FOLLOWING ALLEGATIONS ARISING FROM AN INCIDENT ON 05/07/2016, ON OR ABOUT 2145 HOURS, IN BRONX COUNTY WHILE MOS WAS ON DUTY: ALLEGATIONS:

1. MOS MARTIN ABUSED HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT, IN THAT HE STOPPED A PERSON KNOWN TO THE DEPARTMENT WITHOUT SUFFICIENT LEGAL AUTHORITY.
2. MOS MARTIN ABUSED HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT, IN THAT HE QUESTIONED SAID PERSON KNOWN TO THE DEPARTMENT WITHOUT SUFFICIENT LEGAL AUTHORITY.

CASE STATUS: CLOSED ON 12/07/2017

PENALTY: FORFEITURE OF TEN (10) VACATION DAYS

Disclosure # 10:

MOS MARTIN PLED GUILTY OF THE FOLLOWING DISCIPLINARY ALLEGATIONS ARISING FROM AN INCIDENT ON 10/27/2016 IN BRONX COUNTY WHILE MOS WAS ON DUTY:

ALLEGATIONS:

1. MOS WAS DISCOURTEOUS TO ANOTHER MOS, A LIEUTENANT, KNOWN TO THE DEPARTMENT, IN THAT MOS STATED TO THE LIEUTENANT "IF YOU NEED TO SAY SOMETHING SAY IT TO ME NOW" AND "I'M NOT GOING TO CALL IAB CUZ YOU'RE BOYFRIEND WORKS THERE."
2. MOS ENGAGED IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE DEPARTMENT, TO WIT: MOS DISOBEYED THE LAWFUL ORDER OF A LIEUTENANT KNOWN TO THE DEPARTMENT, INSTRUCTING MOS MARTIN TO STAY IN THE LIEUTENANT'S OFFICE AND REMAIN SILENT.
3. MOS ENGAGED IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE DEPARTMENT, TO WIT: MOS DISOBEYED THE LAWFUL ORDER OF A LIEUTENANT KNOWN TO THE DEPARTMENT, INSTRUCTING MOS MARTIN NOT TO ENGAGE IN ANY FURTHER PERFORMANCE OF OVERTIME ASSIGNMENTS.
4. MOS, ON OR ABOUT AND BETWEEN JULY 1, 2016 AND SEPTEMBER 30, 2016, DID FAIL AND NEGLECT TO TIMELY SUBMIT TO THE DEPARTMENT OVERTIME REPORTS FOR A TOTAL OF SIXTY

(60) HOURS OF OVERTIME.
CASE STATUS: CLOSED ON 07/13/2017

PENALTY: THIRTY-TWO (32) PRE-TRIAL SUSPENSION DAYS WITHOUT PAY, FORFEITURE OF THIRTEEN (13) DAYS OF VACATION.

Disclosure #11:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATIONS, DATED 02/07/2019, AGAINST MOS MARTIN:
ALLEGATIONS:

1. INVOICE DISCREPANCY - LAB – MARIJUANA
2. REPORT INCOMPLETE/INACCURATE - PROPERTY CLERK INVOICE

CASE STATUS: CLOSED ON 02/21/2019

PENALTY: VERBAL INSTRUCTIONS

Disclosure #12 (PENDING):

THE FOLLOWING ALLEGATIONS ARE PENDING, DATED 12/03/2019, AGAINST MOS MARTIN:
ALLEGATIONS:

■ [REDACTED]
■ [REDACTED]
[REDACTED]

THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 13:

CCRB CASE: 201101547

Report Date: 02/06/2011

Incident Date: 02/05/2011

CCRB SUBSTANTIATED ALLEGATIONS:

1. Abuse – Frisk
2. Abuse – Stop

NYPD DISPOSITION: No disciplinary action; no penalty

OTHER MISCONDUCT NOTED:

1. OMN - Failure to prepare a memo book entry
2. OMN - Failure to produce stop and frisk report

NYPD DISPOSITION: No disciplinary action; no penalty.

Disclosure # 14:

CCRB CASE: 201114083

Report Date: 10/31/2011

Incident Date: 10/25/2011

CCRB SUBSTANTIATED ALLEGATION: Abuse – Stop

OTHER MISCONDUCT NOTED: OMN - Failure to prepare a memo book entry

NYPD DISPOSITION AND PENALTY: Command Discipline – B

Disclosure # 15:

CCRB CASE: 201202439

Report Date: 02/23/2012

[REDACTED]

Disclosure # 16:

CCRB CASE: 201205296

Report Date: 04/26/2012

Incident Date: 04/19/2012

CCRB SUBSTANTIATED ALLEGATIONS:

1. Force - Physical force
2. Abuse – Frisk
3. Abuse - Search (of person)
4. Abuse – Stop
5. Abuse - Threat of arrest
6. Discourtesy – Action

NYPD Disposition and Penalty: Guilty on all six charges; Officer forfeited 15 vacation days

OTHER MISCONDUCT NOTED:

1. OMN - Failure to prepare a memo book entry
2. OMN - Failure to produce stop and frisk report
3. OMN - Other Misconduct Other Misconduct

Disclosure # 17:

CCRB CASE: 201600123

Report Date: 01/06/2016

Incident Date: 01/04/2016

CCRB SUBSTANTIATED ALLEGATION: Abuse – Frisk

Disclosure # 18:

CCRB CASE: 201603962

Report Date: 05/09/2016

Incident Date: 05/07/2016

CCRB SUBSTANTIATED ALLEGATIONS:

1. Force - Physical force
2. Abuse – Question
3. Abuse – Stop
4. Abuse - Strip-searched
5. Discourtesy – Word
6. Discourtesy – Word
7. Offensive Lang. – Gender
8. Offensive Lang. – Race

NYPD Disposition: Guilty # 2, Guilty # 3, Not Guilty # 1, Not Guilty # 4, Not Guilty # 5, Not Guilty # 6,
Not Guilty # 7, Not Guilty # 8

NYPD Penalty: Forfeiture of 10 vacation days.

OTHER MISCONDUCT NOTED:

- OMN - Failure to document strip search

NYPD Disposition and Penalty: Instructions

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